

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

BROOKLYNN CLARK,

Plaintiff,

v.

SHELLY DOE, et al.,

Defendants.

Case No. 3:19-cv-00769-YY

ORDER

YOU, Magistrate Judge:

Due to questions that have arisen,¹ the Court issues this order to clarify the limitations on *ex parte* contact and the scheduling of future matters in this case.

The Court and its staff are prohibited from having discussions about certain matters *ex parte*, that is, without the other side being included. This rule prevents the Court from making decisions that affect the parties without input from all of the parties. The rule applies to all parties equally, and applies to scheduling when it would give one party a procedural, substantive, or tactical advantage over another. Thus, the Court will not set deadlines, schedule a trial date,

¹ Specifically, this order is in response to questions that plaintiff raised in a November 20, 2019 email to the Court and other parties.

or otherwise engage in any action that affects how the case proceeds without input from all of the parties.

Furthermore, as the Court is a neutral body, nothing that a party tells court staff should be construed as confidential. In the same respect, there should be no expectation that anything a party tells court staff will ever result in any “advantage” to that party.

With regard to the pending Motion to Dismiss (ECF #45), Findings and Recommendations will be issued and referred to a District Judge for final ruling. More information regarding how cases are assigned to judges in this district and the role of Magistrate Judges may be found on the Court’s website. *See* <https://ord.uscourts.gov/index.php/court-info/our-judges/consenting-to-magistrate-judge-jurisdiction>. Due to the high caseloads of both Magistrate Judges and District Judges in this district, the Court cannot predict when a final ruling on the pending motion will be made. Regarding when plaintiff can have her “day in Court to try [her] remaining claim(s) against” the defendants who have not been dismissed, a trial cannot take place until after discovery has been completed and all dispositive motions have been resolved. If all parties have not consented to Magistrate Judge jurisdiction, this case will then be referred to a District Judge for trial.

IT IS SO ORDERED.

DATED November 25, 2019.

/s/ Youlee Yim You
Youlee Yim You
United States Magistrate Judge